

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : Confirmation No. :

First Named Inventor : Uwe GAERTNER

Filed :  
TC/A.U. :  
Examiner :

Docket No. : 095309.56877US  
Customer No. : 23911

Title : Method for Operating a Compression Ignition Internal Combustion Engine

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 AND 1.98**

**Mail Stop PCT**  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, the attached Form PTO-1449 lists documents which the Examiner may deem relevant to patentability of the claims of the above-identified application.

**I. Time Period of Submission**

This Information Disclosure Statement is submitted:

1) no later than three months from the application's filing date or 2) before the mailing date of the first Office Action on the merits (whichever is later), and therefore no statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, a Notice of Allowance, or an action closing prosecution (*Ex parte Quayle*), (whichever is earlier), and therefore Applicant is filing concurrently herewith:

- a Statement under 37 C.F.R. § 1.97(e); or
- a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

after either a Final Office Action or a Notice of Allowance, but before payment of the Issue Fee, and therefore Applicant is submitting herewith:

a Statement under 37 C.F.R. § 1.97(e); and

a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

II. Statement Under 37 C.F.R. § 1.97(e)

I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or

I hereby state that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making a reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

III. Submission of Non-English Language Documents

The following is a concise explanation of relevance of the non-English language documents listed in the attached Form PTO-1449:

The relevance of document AH to the subject matter of the present invention is provided in the specification of the above-identified application.

Copy of a corresponding foreign or international report citing documents AA-AG, together with an English-language version (if not already in English) of that portion of the report indicating the degree of relevance found by the foreign office.

English language equivalent publication(s) of document(s) \_\_\_\_\_ is/are submitted herewith.

English language abstract(s) is/are submitted for document(s) \_\_\_\_\_.

English translation(s) of the foreign language document(s), is/are submitted herewith.

Applicant submits the following explanations:  
\_\_\_\_\_  
\_\_\_\_\_

10/552166

JC09 Rec'd PCT/PTO 11 OCT 2005

IV. Continuations/Divisionals/PCT National Stage Applications

Documents \_\_\_\_\_ were previously submitted in an Information Disclosure Statement filed on == in parent application Serial No. \_\_\_\_\_, from which this application claims a benefit.

Copies of the references listed on the attached form PTO-1449 have already been provided by the International Searching Authority, therefore, duplicate copies are not attached hereto.

If necessary, this paper should be considered as an authorization to charge Deposit Account 05-1323, Attorney Docket No.: 095309.56877US, for the fee set forth in 37 C.F.R. § 1.17(p).

Respectfully submitted,

October 11, 2005

  
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Song Zhu  
Registration No. 44,420

CROWELL & MORING LLP  
Intellectual Property Group  
P.O. Box 14300  
Washington, DC 20044-4300  
Telephone No.: (202) 624-2500  
Facsimile No.: (202) 628-8844  
GRE:SZ:aw

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11 OCT 2005

PTO/SB/08a (08-03)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO		<i>Complete if Known</i>		
		Application Number		
		Filing Date		
		First Named Inventor	Uwe GAERTNER	
		Art Unit		
		Examiner Name		
Sheet	1	of	Attorney Docket Number	095309.56877US

FOREIGN PATENT DOCUMENTS					
Examiner Initials'	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)			
AA		DE 197 49 817 A1	05-12-99	Kuesell et al.	
AB		EP 0 859 149 A2	11-28-97	Horst et al.	
AC		DE 37 36 430 A1	05-11-89	Hess et al.	
AD		DE 198 49 329 A1	04-27-00	Birk et al.	
AE		DE 100 43 383 C2	06-20-02	Daudel et al.	
AF		DE 196 06 680 A1	08-29-96	Tomisawa	
AG		DE 100 08 553 A1	08-30-01	Raichle et al.	
AH		DE 197 34 494 C1	10/08/98	Gaertner	

NON PATENT					
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T <sup>2</sup>
		International Search Report dated July 28, 2004.			

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.